

**DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Enzymatic Processes for the Production of 4-Substituted 3-Hydroxybutyric Acid Derivatives and Vicinal Cyano, Hydroxy Substituted Carboxylic Acid Esters** the specification of which is attached hereto or X was filed on **February 18, 2004** as Application No: **10/782,258**, and was amended on (if applicable).

- I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56. I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC §119

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

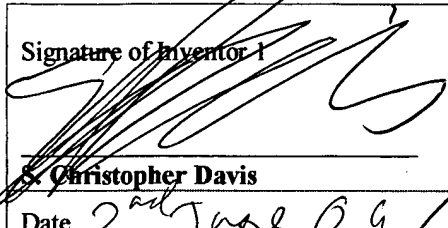
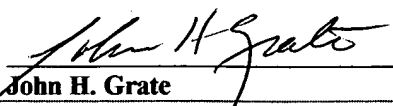
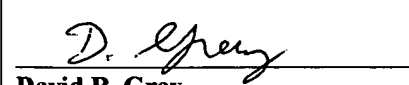
Application No.	Filing Date
60/402,436	August 9, 2002

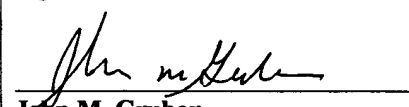
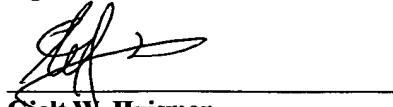
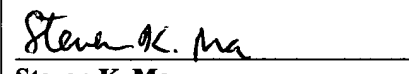
I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


Application No.	Date of Filing	Status
10/639,159	August 11, 2003	Pending

Full Name of Inventor 1:	Full Name: S. Christopher Davis		
Residence & Citizenship:	City: San Francisco	State/Foreign Country: California	Country of Citizenship: United Kingdom
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Full Name of Inventor 2:	Full Name: John H. Grate		
Residence & Citizenship:	City: Los Altos	State/Foreign Country: California	Country of Citizenship: United States of America
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Full Name of Inventor 3:	Full Name: David R. Gray		
Residence & Citizenship:	City: Walnut Creek	State/Foreign Country: California	Country of Citizenship: United Kingdom
Post Office Address:	Post Office Address: 1341 Conejo Way, Walnut Creek, California 94596		
Full Name of Inventor 4:	Full Name: John M. Gruber		
Residence & Citizenship:	City: Mountain View	State/Foreign Country: California	Country of Citizenship: United States of America
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Full Name of Inventor 5:	Full Name: Gjalt W. Huisman		
Residence & Citizenship:	City: San Carlos	State/Foreign Country: California	Country of Citizenship: The Netherlands
Post Office Address:	Post Office Address: 2211 Howard Avenue, San Carlos, California 94070		
Full Name of Inventor 6:	Full Name: Steven K. Ma		
Residence & Citizenship:	City: Foster City	State/Foreign Country: California	Country of Citizenship: United States of America
Post Office Address:	Post Office Address: 950 E. Hillsdale Boulevard, #307, Foster City, California 94404		
Full Name of Inventor 7:	Full Name: Lisa M. Newman		
Residence & Citizenship:	City: Redwood City	State/Foreign Country: California	Country of Citizenship: United States of America
Post Office Address:	Post Office Address: 1002 King Street, Redwood City, California 94061		
Full Name of Inventor 8:	Full Name: Roger Sheldon		
Residence & Citizenship:	City: Rijswijk	State/Foreign Country: The Netherlands	Country of Citizenship: The Netherlands
Post Office Address:	Post Office Address: Regentesselaan 13, 2281 VA Rijswijk, The Netherlands		
Full Name of Inventor 9:	Full Name: Li A Wang		
Residence & Citizenship:	City: Newbury Park	State/Foreign Country: California	Country of Citizenship: China
Post Office Address:	Post Office Address: 4278 Via Encanto, Newbury Park, California 91320		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  S. Christopher Davis Date <u>2nd June 04</u>	Signature of Inventor 2  John H. Grate Date <u>9 June 2004</u>	Signature of Inventor 3  David R. Gray Date <u>11 June 2004</u>
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Signature of Inventor 4  John M. Gruber Date <u>5/26/04</u>	Signature of Inventor 5  Gjal W. Huisman Date <u>5/28/04</u>	Signature of Inventor 6  Steven K. Ma Date <u>5/26/04</u>
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Signature of Inventor 7  Lisa M. Newman Date <u>6/9/04</u>	Signature of Inventor 8 Roger Sheldon Date	Signature of Inventor 9 Li A Wang Date
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Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
<u>S. Christopher Davis</u>	<u>John H. Grate</u>	<u>David R. Gray</u>
Date	Date	Date


Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
<u>John M. Gruber</u>	<u>Gjalt W. Huisman</u>	<u>Steven K. Ma</u>
Date	Date	Date

Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
<u>Lisa M. Newman</u>	<u></u> Roger Sheldon	<u>Li A Wang</u>
Date	Date 06-11-2004	Date

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
<u>S. Christopher Davis</u>	<u>John H. Grate</u>	<u>David R. Gray</u>
Date	Date	Date

Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
<u>John M. Gruber</u>	<u>Gjalt W. Huisman</u>	<u>Steven K. Ma</u>
Date	Date	Date

Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
<u>Lisa M. Newman</u>	<u>Roger Sheldon</u>	<u></u> Li A Wang
Date	Date	Date 6/6/04